

## Office of the Assistant Secretary, HUD

## § 1003.2

UNDER1996 = \$5,378,558.

OVER1996 = \$326,095,837.

GRANT is the approximate grant amount in any given year for any given tribe.

[63 FR 12373, Mar. 12, 1998; 63 FR 13105, Mar. 17, 1998]

### PARTS 1001–1002 [RESERVED]

## PART 1003—COMMUNITY DEVELOPMENT BLOCK GRANTS FOR INDIAN TRIBES AND ALASKA NATIVE VILLAGES

### Subpart A—General Provisions

Sec.

- 1003.1 Applicability and scope.
- 1003.2 Program objective.
- 1003.3 Nature of program.
- 1003.4 Definitions.
- 1003.5 Eligible applicants.
- 1003.6 Waivers.

### Subpart B—Allocation of Funds

- 1003.100 General.
- 1003.101 Area ONAP allocation of funds.
- 1003.102 Use of recaptured and unawarded funds.

### Subpart C—Eligible Activities

- 1003.200 General policies.
- 1003.201 Basic eligible activities.
- 1003.202 Eligible rehabilitation and preservation activities.
- 1003.203 Special economic development activities.
- 1003.204 Special activities by Community-Based Development Organizations (CBDOs).
- 1003.205 Eligible planning, urban environmental design and policy-planning-management-capacity building activities.
- 1003.206 Program administration costs.
- 1003.207 Ineligible activities.
- 1003.208 Criteria for compliance with the primary objective.

### Subpart D—Single Purpose Grant Application and Selection Process

- 1003.300 Application requirements.
- 1003.301 Selection process.
- 1003.302 Project specific threshold requirements.
- 1003.303 Project rating categories.
- 1003.304 Funding process.
- 1003.305 Program amendments.

### Subpart E—Imminent Threat Grants

- 1003.400 Criteria for funding.
- 1003.401 Application process.

- 1003.402 Availability of funds.

### Subpart F—Grant Administration

- 1003.500 Responsibility for grant administration.
- 1003.501 Applicability of uniform administrative requirements and cost principles.
- 1003.502 Agreements with subrecipients.
- 1003.503 Program income.
- 1003.504 Use of real property.
- 1003.505 Records to be maintained.
- 1003.506 Reports.
- 1003.507 Public access to program records.
- 1003.508 Grant closeout procedures.
- 1003.509 Force account construction.
- 1003.510 Indian preference requirements.
- 1003.511 Use of escrow accounts for rehabilitation of privately owned residential property.

### Subpart G—Other Program Requirements

- 1003.600 Constitutional prohibition.
- 1003.601 Nondiscrimination.
- 1003.602 Relocation and real property acquisition.
- 1003.603 Labor standards.
- 1003.604 Citizen participation.
- 1003.605 Environment.
- 1003.606 Conflict of interest.
- 1003.607 Lead-based paint.
- 1003.608 Debarment and suspension.

### Subpart H—Program Performance

- 1003.700 Review of grantee's performance.
- 1003.701 Corrective and remedial actions.
- 1003.702 Reduction or withdrawal of grant.
- 1003.703 Other remedies for noncompliance.

AUTHORITY: 42 U.S.C. 3535(d) and 5301 *et seq.*

SOURCE: 61 FR 40090, July 31, 1996, unless otherwise noted. Redesignated at 62 FR 12349, Mar. 12, 1998.

### Subpart A—General Provisions

#### § 1003.1 Applicability and scope.

The policies and procedures described in this part apply to grants to eligible applicants under the Community Development Block Grant (CDBG) program for Indian tribes and Alaska native villages.

#### § 1003.2 Program objective.

The primary objective of the Indian CDBG (ICDBG) Program and of the community development program of each grantee covered under the Act is the development of viable Indian and Alaska native communities, including decent housing, a suitable living environment, and economic opportunities,

### § 1003.3

### 24 CFR Ch. IX (4-1-00 Edition)

principally for persons of low and moderate income. The Federal assistance provided in this part is not to be used to reduce substantially the amount of tribal financial support for community development activities below the level of such support before the availability of this assistance.

#### § 1003.3 Nature of program.

The selection of single purpose grantees under subpart B of this part is competitive in nature. Therefore, selection of grantees for funds will reflect consideration of the relative adequacy of applications in addressing tribally determined need. The selection of grantees of imminent threat grants under the provisions of subpart B of this part is not competitive in nature. However, applicants for funding under either subpart must have the administrative capacity to undertake the community development activities proposed, including the systems of internal control necessary to administer these activities effectively without fraud, waste, or mismanagement.

#### § 1003.4 Definitions.

*Act* means Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 *et seq.*)

*Area ONAPs* mean the HUD Offices of Native American Programs having field office responsibility for the ICDBG Program.

*Assistant Secretary* means the Assistant Secretary for Public and Indian Housing.

*Buildings for the general conduct of government* mean office buildings and other facilities in which the legislative, judicial or general administrative affairs of the government are conducted. This term does not include such facilities as neighborhood service centers or special purpose buildings located in low and moderate income areas that house various non-legislative functions or services provided by the government at decentralized locations.

*Chief executive officer* means the elected official or legally designated official who has the prime responsibility for the conduct of the affairs of an Indian tribe or Alaska native village.

*Eligible Indian population* means the most accurate and uniform population data available from data compiled and published by the United States Bureau of the Census available from the latest census referable to the same point or period of time for Indian tribes and Alaska native villages eligible under this part.

*Extent of overcrowded housing* means the number of housing units with 1.01 or more persons per room, based on data compiled and published by the United States Bureau of the Census available from the latest census referable to the same point or period of time.

*Extent of poverty* means the number of persons whose incomes are below the poverty level, based on data compiled and published by the United States Bureau of the Census referable to the same point or period in time and the latest reports from the Office of Management and Budget.

*HUD* means the Department of Housing and Urban Development.

*ICDBG Program* means the Indian Community Development Block Grant Program.

*Identified service area* means:

(1) A geographic location within the jurisdiction of a tribe (but not the entire jurisdiction) designated in comprehensive plans, ordinances, or other tribal documents as a service area;

(2) The Bureau of Indian Affairs (BIA) service area, including residents of areas outside the geographic jurisdiction of the tribe; or

(3) The entire area under the jurisdiction of a tribe which has a population of members of under 10,000.

*Imminent threat* means a problem which if unresolved or not addressed will have an immediate negative impact on public health or safety.

*Low and moderate income beneficiary* means a family, household, or individual whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families. However, HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings